



California Regional Water Quality Control Board

Los Angeles Region



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Agency Secretary

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Arnold Schwarzenegger
Governor

Meeting Minutes

Los Angeles Regional Water Quality Control Board
April 14, 2011 Board Meeting
Metropolitan Water District of Southern California
700 North Alameda Street
Los Angeles, California

The meeting was called to Order by Chair Fran Diamond at 9:15 a.m.

Pledge of Allegiance.

Item 1. Roll Call

Board Members Present: Chair Fran Diamond, Madelyn Glickfeld, Maria Mehranian, Steve Blois, and Charles Stringer.

Board Members Absent: Vice Chair Mary Ann Lutz.

Staff Present: Sam Unger, Deborah Smith, Dr. Yue Rong, Ronji Moffett, Jennifer Fordyce, Frances McChesney, Alex Carlos, Paula Rasmussen, David Hung, Cassandra Owens, Brandi Outwin-Beals, Dr. Arthur Heath, Veronica Cuevas, Dr. Ginachi Amah, Renee Purdy, Dr. Eric Wu, Arman Toumari

Individuals whose Names Appear on the Sign-In Sheet and/or Speaker Cards

Dr. Mark Gold, Heal the Bay	Mr. Jeff Rupp, University of La Verne
Ms. Kirsten James, Heal the Bay	Mr. Philip L. Friess, Santa Clarita Valley San District
Ms. Lucia McGovern, Camarillo Sanitary District	Ms. Melissa Thorme, Rep. Camarillo Sanitary District
Ms. Ashli Desai, Latham & Watkins	Mr. Bob Krimmer, Pleasant Valley County Water
Mr. Anthony Emmert, City of Oxnard	Mr. Mike Solomon, United Water Conservation Dist.
Mr. Noah Garrison, NRDC	Mr. Howard Gest, Rep. L.A. County Flood Control
Ms. Liz Crosson, Santa Monica Baykeeper	

The Board went into a 10-minute Closed session immediately after calling the meeting to Order.

Item 2. Order of Agenda.

Executive Officer Sam Unger asked that Item 15 to be heard before Item 14.

California Environmental Protection Agency



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

Item 3. Approval of draft meeting Minutes for March 3, 2011.

Chair Fran Diamond and Member Madelyn Glickfeld asked for minor corrections and edits to name of the venue used on the March 3, 2011 meetings, and a motion was made for approval.

MOTION: To approve the draft Meeting Minutes for the March 3, 2011 meeting with edits and change to the name of the venue for the meeting.

First: Board member Madelyn Glickfeld

Second: Board Member Steve Blois

Vote: Approved by unanimous vote

Item 4. Board Member Communications.

There were no communications reported by the Board that constitute disclosure for this item.

Item 5. Executive Officer's Report

Report and Addendum Report was given to the Board. The Report was posted on the Board's website:

www.swrcb.ca.gov/~rwqcb4/html/eo_reports/eo_reports.html

Item 5.a. Enforcement Report. (Paula Rasmussen) No oral report was made however, Board members acknowledge Ms. Paula Rasmussen for the good context in the report.

Item 6. Board Checklist.

There was no discussion or questions regarding the Board Checklist.

Item 7. Update from State Board. *(There was no report from Fran Spivy Weber during this meeting.)*

Item 8. Public Forum.

- Mr. Phil Friess, Santa Clarita Valley Sanitation District
- Mr. Jeff Rupp, University of La Verne
- Mr. Mike Solomon, United Water Conservation District
- Dr. Mark Gold, Heal the Bay

Approval of Uncontested Calendar.

Executive Officer Sam Unger announced the Consent items as follows: Items 8, 9, 10, 11, 12, and 13.

Board member Madelyn Glickfeld recused herself from Item 9, BP West Coast Products LLC, and this matter was removed from the Consent calendar, and therefore continued to the next meeting of May 5, 2011, because there was not a quorum for the vote.

The EO announced the Consent calendar as Items 8, 10, 11, 12, and 13.

MOTION: To deem non-controversial and approve Agenda Item(s): Items 8, 10, 11, 12 and 13.

First: Board Member Maria Mehranian

Second: Board Member Steve Blois

Vote: Approved by unanimous vote.

Item 15. Consideration of action to void and set aside Order No. R4-2006-0074 amending the Los Angeles County MS4 Permit (Order No. 01-182, NPDES Permit No. CAS004001) pursuant to the peremptory Writ of Mandate in Los Angeles Superior Court Case No. BS122724.

Staff Report by Staff Counsel Jennifer Fordyce. (*Ms. Fordyce made, but was not limited to the following points.*):

- Gave legal background on this matter
- Discussed the tentative Order Strike-out
- Discussed the Findings of Fact definition, Part 1.B (discharge prohibition)
- Fourteen Comments received
- All Cities including County of Los Angeles must comply with all the provisions of the permit
- Recommendation is to void and set aside Order R4-2006-0074 in its entirety, as proposed in the tentative Order.

Public comment:

- Mr. Noah Garrison, National Resource Defense Council (NRDC)
- Dr. Mark Gold, Heal the Bay
- Mr. Howard Gest, Representing Los Angeles County Flood Control District (in support)
- Ms. Liz Crosson, Santa Monica Baykeeper (in support)

MOTION: To approve the decision to comply with the order to void and set aside Order R4-02006-0074 in it's entirety.

First: Board Member Steve Blois

Second: Board Member Maria Mehranian

Vote: Approved by unanimous vote

The Board went into Closed Session at 12:34

Reconvened at 2:00

Item 14. Consideration of a tentative Waste Discharge Requirements for Camarillo Sanitary District (Camarillo Water Reclamation Plant).

Staff Report. Ms. Brandi Outwin-Beals (*Ms. Beals made, but was not limited to the following points in his presentation*):

- Gave background history
- Since installing filters in 2007, Camarillo Sanitary District has been discharging tertiary-treated effluent
- Talked about beneficial uses in Conejo and Mugu Lagoon
- Discussed treatment processes

- Treatment consists of primary chlorination
- Discussed the compliance history
- There were 90 effluent limitation violations
- Subject to Mandatory Minimum Penalties
- Regional Board staff is in settlement with Camarillo for violations
- There are 5 nutrients applicable in the TMDLs
- Discussed the applicable TMDL requirements
- Discussed the significant changes to the permit
- Received 75 comments for this permit
- Calleguas Creek Management District supports the comments made by Camarillo
- Camarillo requested BOD and TSS be removed from the permit
- Camarillo requested interim limits be recalculated based on performance

Public Comments.

- Ms. Lucia McGovern, Rep. Camarillo Sanitary District

Ms. McGovern gave background history. She stated that there is major concern for toxicity and it is believed to be inconsistent with TMDL and State Water Resources Control Board precedent. She indicated that the interim limit for salts is unattainable. Ms. McGovern asked the Board to wait until State Board approves and implements the Policy before approving this permit.

Ms. McGovern indicated that the District cannot attain the salts due to water conservation and she believes the requirements for a CEC Policy are premature and inconsistent with State Board recycled Water Policy (SWRCB-2009-0012WQ). She believes that the effluent limits should be based on "Reasonable Potential", and do not believe there is a "Reasonable Potential" for antimony and cadmium.

There was much discussion by the Board, interested Parties Staff and Staff Counsel regarding this matter. Some of the Board's concerns are as follows:

Board questions and concerns:

- Why is this district being subject to a freshwater creek?
- Expressed concerns about salts
- Expressed concerns about toxicity
- Asked clarification as to whether or not staff agrees with Camarillo's position on salts?
- Was there a Cost Analysis performed for Camarillo Sanitary District?
- What is the cost of CEC Analysis?
- Has the water quality improved?
- Is there a way to bridge the gap until the facility is built?
- Are the toxins in the effluent coming from the agricultural lands?
- Asked clarification if the reason we have a numeric limit rather than a narrative is because of the TMDL?

There was much discussion and a Motion was made to continue this matter to not later than the July 2011 Hearing.

MOTION: To approve the staff recommendation.

First: Board Chair Fran Diamond
Second: Board Member Maria Mehranian
Vote: Approved by unanimous vote.

Immediately following this matter, the Board went into a closed session, and the meeting was declared adjourned. The Board meeting was adjourned at 2:38pm. Draft Minutes may be approved, rescinded or modified at the May 5, 2011 Board meeting.

Written and submitted by: _____, then finalized on
Ronji R. Moffett